

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s):	C. J. STAKUTIS ET AL.	Examiner	Wayne Amsbury
Serial No.	10/691,134		
Patent No.	7275059	Issue Date	September 25, 2007
Filed	October 21, 2003	Docket No.	SJO919970205US4
TITLE	METHODS AND APPARATUS FOR HIGH-SPEED ACCESS TO AND SHARING OF STORAGE DEVICES ON A NETWORKED DIGITAL DATA PROCESSING SYSTEM		

CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being transmitted through the USPTO EFS-Web system over the Internet to the U.S. Patent and Trademark Office on September 14, 2011.

/David Victor

David W. Victor

PETITION UNDER 37 CFR 1.182 TO WITHDRAW TERMINAL DISCLAIMER

Applicants submit this Petition under 37 CFR 1.182 and MPEP 1490, pg. 119 (8th ed., Rev. July 2010) to withdraw a Terminal Disclaimer submitted on February 27, 2007 to overcome a non-statutory double patenting rejection in an Office Action dated December 5, 2006 on the grounds the numbers in the patent being disclaimed in the terminal disclaimer were inadvertently transposed.

On December 5, 2006, the Examiner issued a non-statutory double patenting rejection over the claims of 7,010,432, which was assigned to Lifescan, Inc. at the time of the rejection. This non-statutory double patenting rejection was improper because there is no common assignee and no common inventor with the present patent. See, MPEP 804.

On February 27, 2007, Applicants filed an Amendment and in the Remarks noted that the referenced 7,010,432 patent was incorrect, and that the Examiner in fact referenced a commonly owned patent 7,010,532 in a phone interview and email correspondence. (pg. 2) Applicants filed a terminal disclaimer on February 27, 2007 having the transposition error to the incorrect referenced 7,010,432 patent.

On September 8, 2011, Applicants filed a post-issuance terminal disclaimer over U.S. Patent No. 7,010,532.

Applicants request the withdrawal of the February 27, 2007 Terminal Disclaimer to the Lifescan 7010432 patent due to the transposition error and the previous filing of the corrected

terminal disclaimer having the correct patent number 7010532. Applicants submit this Petition should be granted pursuant to MPEP 1490, pg. 119 which provides for withdrawal of terminal disclaimers disclaiming patent numbers that are inadvertently transposed.

Applicants submit herewith the fee required 37 CFR 1.17(f). Should any additional fees be required beyond those paid, please charge Deposit Account No. 09-0466.

The attorney of record invites the Examiner to contact him at (310) 553-7977 if the Examiner believes such contact would advance the prosecution of the case.

Dated: September 14, 2011

By: /David Victor/

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